

ORIGINAL

Before the  
Federal Communications Commission  
Washington, DC 20554

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In the Matter of )  
 )  
Reclassification of License )  
of Station KCDD, ) RM-11026  
Hamlin, Texas )

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SEP 24 2004

Federal Communications Commission  
Office of Secretary

To: Office of the Secretary  
Attn: Assistant Chief, Audio Division

**Response to Order to Show Cause**

This Response is filed on behalf of Cumulus Licensing LLC ("Cumulus"), licensee of Station KCDD(FM), Hamlin, Texas, in response to the Order to Show Cause released August 12, 2004 (DA 04-2502), a copy of which is attached for your convenience. This Order to Show Cause informed Cumulus that a petition for rule making to allot Channel 277C3 at Throckmorton, Texas (RM-11026) was filed by Petitioner, Charles Crawford. To accommodate this allotment the Petitioner asked the Commission to modify the channel classification of Station KCDD(FM), presently operating on Channel 279C, to specify operation on Channel 279C0. In the Order to Show Cause the Commission notes that Station KCDD is currently authorized at an antenna height above average terrain ("HAAT") below the new minimum of 451 meters as set forth in the Second Report and Order in MM Docket No. 98-93. Pursuant to Note 4 in Section 73.3571 of the Commission's Rules, Cumulus is entitled to an opportunity to express its intention to file an application to increase its HAAT to at least 451 meters. The date set forth in the Order to Show Cause for this purpose is September 27, 2004. Cumulus hereby notifies the Commission that it intends to file a minor change construction permit application within the 180-

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day filing period to increase the height above average terrain of Station KCDD(FM) to obtain at least minimum Class C status.

Respectfully submitted,

CUMULUS LICENSING LLC

By:

A handwritten signature in black ink, appearing to read "Mark N. Lipp", written over a horizontal line.

Mark N. Lipp  
Vinson & Elkins L.L.P.  
The Willard Office Building  
1455 Pennsylvania Avenue, NW  
Washington, DC 20004-1008  
(202) 639-6500

Its Counsel

September 24, 2004


### **Certificate of Service**

I, Lisa M. Holland, a secretary in the law firm of Vinson & Elkins L.L.P., do hereby certify that I have on this 24th day of September, 2004, caused to be mailed by first class mail, postage prepaid, copies of the foregoing "Response to Order to Show Cause" to the following:

Roland F. Smith\*  
Federal Communications Commission  
445 12th Street, S.W.  
Room 3-A320  
Washington, D.C. 20554

Mr. Charles Crawford  
4553 Bordeaux Avenue  
Dallas, Texas 75205

\*By Hand

  
Lisa M. Holland